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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,505	05/02/2005	Josephus Arnoldus Henricus Kahlman	NL 021134	4342
24737 7590 01/21/2011 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER				
SHEN, KEZHEN				
ART UNIT		PAPER NUMBER		
2627				
MAIL DATE		DELIVERY MODE		
01/21/2011		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/533,505

**Applicant(s)**KAHLMAN, JOSEPHUS  
ARNOLDUS HENRICUS**Examiner**

KEZHEN SHEN

**Art Unit**

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 October 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2 and 4-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claim 1-8 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Senshu US 2003/0103429.

Regarding claim 1, Senshu teaches a record carrier (Figs. 1A and 2, [0243] – [0253]) comprising synchronization patterns for identifying blocks of information (frame sync of Figs. 27 and 28, [0434]), said synchronization patterns comprising a part for distinguishing one such synchronization pattern from another such synchronization pattern (Figs. 30 and 31, [0447] – [0455]), wherein the part for distinguishing the synchronization patterns consists only of the bit sequence 100 101 or of the bit sequence 010 101 (Fig. 30, [0448], [0454]). Senshu fails to teach synchronization pattern is directly followed by any 8 bit data bit sequence except the sequence 01 11 01 11. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made since it is considered that it is not inventive to discover the

optimum or workable ranges by routine experimentation in the absence of criticality (*In re Aller*, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955)).

Regarding claim 2, Senshu teaches a record carrier according to claim 1, characterized in that the synchronization pattern comprising a part for distinguishing the synchronization patterns consisting only of the bit sequence 100 101 or of the bit sequence 010 101 (Fig. 30, [0448], [0454]), is directly followed by a bit sequence not violating the Repeated Minimum Transition Runlength constraint ([0258]) and is directly followed by any 8 bit data bit sequence except the sequence 01 11 01 11 (Fig. 30, [0448], [0454]).

Regarding claim 4, Senshu teaches a record carrier (Figs. 1A and 2, [0243] – [0253]) comprising synchronization patterns for identifying blocks of information, said synchronization patterns comprising a part for distinguishing one such synchronization pattern from another such synchronization pattern (frame sync of Figs. 27 and 28, [0434]), wherein the part for distinguishing the synchronization patterns consists only of the bit sequence 101 001, or the bit sequence 010 100, or the bit sequence 100 100 (Fig. 30, [0448], [0454]) and is directly followed by any 8 bit data bit sequence except the sequence 01 11 01 11 (Fig. 30, [0448], [0454]).

Regarding claim 5, the limitations have been analyzed and rejected with the reasons given as set forth in claim 1 above.

Regarding claim 6, the limitations have been analyzed and rejected with the reasons given as set forth in claim 4 above.

Regarding claim 7, the limitations have been analyzed and rejected with the reasons given as set forth in claim 1 above.

Regarding claim 8, the limitations have been analyzed and rejected with the reasons given as set forth in claim 4 above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kezhen Shen whose telephone number is (571) 270-1815. The examiner can normally be reached on Monday-Friday 10am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kezhen Shen/  
Examiner, Art Unit 2627

/Joseph H. Feild/  
Supervisory Patent Examiner, Art

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